IN THE HIGH COURT OF JUDICATURE FOR
RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

S.B. CIVIL WRIT PETITION NO.9033/2007.

Sirajuddin
Vs.
State and anr.

Date of order : 12/12/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri K.C. Sharma for the petitioner.

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Heard learned counsel for the petitioner.

Petitioner has filed this writ petition with the grievance that patta was illegally issued to the respondent No.4 by the Gram Panchayat. Petitioner filed an appeal before the Panchayat Smaiti Govindgarh. Gram Panchayat resolved to issue patta in favour of the respondent No.4 on 6/12/2004, petitoiner immediately filed appeal against the said order before the Panchayat Samiti on 3/6/2005. While appeal has not been decieed so far inspite of petitioner requesting the respondents, the respondent-Panchayat Samiti has directed the Gram Panchayat vide order dated 19/11/2005 to issue patta to respondent No.4. It

is, therefore, prayed that respondents be directed to decide the appeal within the specified time before issuance of patta.

It is clartified that mere issuance of patta would not create any equity or better title in favour of the respondent No.4. Even if patta is issued, the same would always remain subject to the outcome of the order that is passed in the appeal. In any case, if the decision is rendered against the petitioner by the Panchayat Samiti, petitioner shall be free to challenge the same before the District Collector by filing revision petition.

The Panchayat Samiti Govindgarh shall proceed to decide the appeal of the petitioner as expeditiously as possible and preferably within two months from the date copy of this order is produced before it.

The writ petition is accordingly disposed of.

(MOHAMMAD RAFIQ), J.

anil/-